

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EMILY BRUNNER and CAITLIN
TUROWSKI, individually and on behalf of all
persons similarly situated, as Class/Collective
representatives,

Plaintiffs,

v.

JIMMY JOHN LIAUTAUD, JIMMY
JOHN'S, LLC, JIMMY JOHN'S
ENTERPRISES, LLC, JS FORT GROUP,
INC., JJ SEVERSON AFFILIATES FIVE,
INC., JJ SEVERSON AFFILIATES, INC.,
JIMMY JOHN'S FRANCHSE, LLC,
JEFFREY S. FORT, TODD SEVERSON, and
BROOKE SEVERSON,

Defendants.

Case No. 1:14-cv-05509

Honorable Charles P. Kocoras

Magistrate Judge Jeffrey Cole

**DEFENDANTS JS FORT GROUP, INC.,
JEFFREY S. FORT, JJ SEVERSON AFFILIATES, INC., JJ SEVERSON
AFFILIATES FIVE, INC., TODD SEVERSON, AND BROOKE
SEVERSON'S MOTION FOR PARTIAL DISMISSAL OF PLAINTIFFS' FIRST
AMENDED CLASS ACTION COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6)**

Defendants JS FORT GROUP, INC., JEFFREY S. FORT (the "Fort Defendants"), JJ SEVERSON AFFILIATES, INC., JJ SEVERSON AFFILIATES FIVE, INC., TODD SEVERSON, and BROOKE SEVERSON (the "Severson Defendants") (collectively the "Franchisee Defendants"), by their counsel Jackson Lewis P.C., and pursuant to Fed. R. Civ. P. 12(b)(6) ("Rule 12(b)(6)"), move for the dismissal of Counts III through VI of Plaintiff's First Amended Class Action Complaint. In support of their Motion, the Franchisee Defendants rely upon the attached Memorandum of Law in Support of their Motion for Partial Dismissal of

Plaintiffs' First Amended Class Action Complaint Pursuant to Rule 12(b)(6), the pleadings on file with this Court, and applicable case law and court rules.

WHEREFORE, the Franchisee Defendants respectfully request that the Court grant their Motion for Partial Dismissal of Plaintiffs' First Amended Class Action Complaint Pursuant to Rule 12(b)(6) in its entirety, enter a Judgment in the Franchisee Defendants' favor and award the Franchisee Defendants their costs and fees incurred in defending against this frivolous lawsuit.

Respectfully submitted,

By: /s/ Jeffrey L. Rudd

Jeffrey L. Rudd
Matthew S. Disbrow
Gregory Andrews

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Attorneys for the Franchisee Defendants

Date: November 21, 2014

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2014, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all parties of record.

By: /s/ Jeffrey L. Rudd